

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the above-mentioned mimeographed leaflets which accompanied the article were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for diabetes, gas, insomnia, indigestion, ulcers resulting from hard drinking of ardent spirits, dyspepsia, pericardial pain, stomach trouble, liver malfunctioning, lack of pancreatic secretion, convulsions, chronic arthritis especially of the knees, coronary thrombosis, and cholecystitis; that it would provide all the amino acids, minerals, and vitamins essential to growth and nutrition; that it would help the unhealthy duodenum to properly break down food elements so that nutrition would be improved; and that it would aid the absorption of vitamins A and B complex. The article was not an adequate and effective treatment for such diseases and conditions, and it was not capable of fulfilling the promises of benefit made for it.

DISPOSITION: July 10, 1953. Default decree of condemnation and destruction.

4171. Misbranding of Lumax and Adroxal. U. S. v. 288 Bottles, etc. (F. D. C. No. 35286. Sample Nos. 39519-L, 39995-L.)

LIBEL FILED: July 20, 1953, Southern District of California.

ALLEGED SHIPMENT: On or about May 12 and 15 and July 1, 1952, by Nyal Co., Inc., from Detroit, Mich.

PRODUCT: 288 1-pint bottles of *Lumax* and 72 1-pint bottles of *Adroxal* at Glendale, Calif.

LABEL, IN PART: (Bottle) "Nyal * * * *Lumax* Brand Of Antacid Adsorbent Aluminum Hydroxide Gel in combination with Magnesium Trisilicate * * * Indicated for the temporary relief of gastric hyperacidity and the symptoms of Peptic Ulcer" and "Clinic *Adroxal* Brand Of Antacid Adsorbent Aluminum Hydroxide Gel in combination with Magnesium Trisilicate * * * Indicated for the temporary relief of gastric hyperacidity and the symptoms of Peptic Ulcer * * * Jamieson Pharmacal Company Pharmaceutical Chemists Detroit, Michigan, U. S. A."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the bottle labels of the articles were false and misleading. The statements represented and suggested that the articles were an adequate and effective treatment for the symptoms of peptic ulcer, whereas the articles were not an adequate and effective treatment for such symptoms.

DISPOSITION: August 18, 1953. Default decree of condemnation and destruction.

4172. Misbranding of vitamin capsules. U. S. v. 35 Bottles, etc. (F. D. C. No. 35343. Sample No. 50295-L.)

LIBEL FILED: July 1, 1953, District of New Jersey.

ALLEGED SHIPMENT: On or about April 7, 1953, by the Park Drug Co., from New York, N. Y.

PRODUCT: 35 bottles of *vitamin capsules* at Newark, N. J., together with a number of leaflets which accompanied the product and which were entitled "Feel Weary Instead Of Wonderful? Feel Old Instead Of Young? The Sensational New *Red Vitamin—B₁₂*—May Be Your Fountain Of Youth."

LABEL, IN PART: (Bottle) "100 Capsules Zinn's Vitamin B Complex With Liver, Folic Acid, Inositol, Choline And Vitamin B₁₂ with the Red Vitamin

A Special Dietary Supplement * * * Each Capsule Contains: Vitamin B₁ (Thiamin Chloride) ---- 3 mg. Vitamin B₂ (Riboflavin) ---- 2 mg. Vitamin B₆ (Pyridoxine Hydrochloride) ---- 0.1 mg. Vitamin B₁₂ (Activity Equiv.) ---- 1 microgram As in Streptomyces Fermentation Extractives Calcium Pantothenate ---- 1 mg. Niacinamide ---- 10 mg. Choline Dihydrogen Citrate ---- 50 mg. Inositol ---- 20 mg. Folic Acid ---- 0.5 mg. And other factors of the B complex as found in Liver and Yeast with Excipients, enclosed in an artificially colored gelatin capsule."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the leaflets accompanying the article were false and misleading. The statements represented and suggested that the article was effective to overcome fatigue, to make the user feel young, and to build blood, and that it was effective in the treatment of anemia which responds to vitamin B₁₂. The article was not effective for such purposes.

DISPOSITION: August 17, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable organization for its use and not for sale.

4173. Misbranding of B-Amino Complex tablets. U. S. v. 27 Cartoned Bottles
* * *. (F. D. C. No. 34935. Sample No. 54112-L.)

LABEL FILED: April 7, 1953, Northern District of Illinois.

ALLEGED SHIPMENT: On or about September 18, 1952, by Universal Nutritions, from New York, N. Y., to Cleveland, Ohio, and from there transported, on or about November 23, 1952, to Chicago, Ill., by a representative of a Chicago firm.

PRODUCT: 27 cartoned bottles of *B-Amino Complex tablets* at Chicago, Ill. A leaflet headed "If Your Body Could Talk It Would Say" was enclosed in each carton of the article.

Analysis showed that 6 tablets of the article supplied not more than 4.8 milligrams of iron and not more than 11.2 milligrams of vitamin B₁.

LABEL, IN PART: (Bottle) "100 Tablets B-Amino BAC-Complex A brand of amino acids, coenzymes, vitamins and minerals Daily dose of 6 tablets contains: Vitamins Vitamin B₁ (Thiamine Hydrochloride) 18.0 mg. * * * DI and Tri-Valent Minerals Iron (Ferric Citro Pyrophosphate Soluble) 28.8 mg. * * * Unitone Corporation Distributor New York 13, N. Y."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "6 tablets contains: * * * Vitamin B₁ * * * 18.0 mg. * * * Iron * * * 28.8 mg." was false and misleading as applied to the article, which contained less than 18.0 milligrams of vitamin B₁ and less than 28.8 milligrams of iron per 6 tablets. The article was misbranded in this respect while held for sale after shipment in interstate commerce.

Further misbranding, Section 502 (a), the labeling of the article, namely, the retail package labels and the above-mentioned leaflet, was false and misleading. The labeling represented and suggested that the article, when used as directed, would supply an important quantity of protein; that it was needed by the eyes, ears, lungs, liver, intestines, muscles, brain, heart, stomach, kidneys, and the entire body; that it would supply increased energy to the heart, lungs, muscles, liver, and other important organs; that it would supply missing enzymes necessary to carry on body functions, such as growth, reproduction, secretion, nerve condition, muscular contraction, etc.; that it would